



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Alaska State Office

222 West Seventh Avenue, #13

Anchorage, Alaska 99513-7504

<http://www.blm.gov/ak>

In Reply Refer To:
2275 (AK962) P

February 26, 2010

Instruction Memorandum No. AK-2010-010

Expires: September 30, 2011

To: Deputy State Director, Division of Alaska Lands

From: Thomas P. Lonnie
State Director

Subject: Continuation of Procedures Provided under Secretarial Order No. 3220

Program Area: Division of Alaska Lands

Purpose: To affirm the continued use of the procedures outlined in Secretarial Order No. 3220, dated January 5, 2001 after the expiration of the Order on February 10, 2010.

Background: Section 14(h)(1) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), authorizes the Secretary of the Interior (hereinafter, the Secretary) to convey, to a Native regional corporation formed under the act, fee title to existing cemetery sites and historical places. The Secretary authorized the Bureau of Indian Affairs (BIA) to investigate historical places and cemetery sites and to certify their eligibility in accordance with 43 CFR 2653.5(h). In the mid-1980's, the Bureau of Land Management rejected and closed 196 Section 14(h)(1) selection applications based on BIA reports of ineligibility. Subsequently, BIA believed it had erroneously issued Certifications of Ineligibility for each of the 196 Section 14(h)(1) selection applications. Effective January 5, 2001, the Secretary authorized the reopening of the 196 closed applications under the provisions of Secretarial Order No. 3220. On February 11, 2005, the Secretary reissued and amended the Order to provide revised procedures and a new expiration date. Although the Order expires on February 10, 2010, Sec. 204 of the Alaska Land Transfer Acceleration Act of December 10, 2004, specifically included the closed applications that are determined eligible and reinstated under Secretarial Order No. 3220 as being treated the same as any cemetery site or historical place selection made before the Secretary.

Policy/Action: This IM affirms the continued use of procedures outlined in Secretarial Order No. 3220 and clarifies that the procedures will be utilized and followed after the Order expires.

Timeframe: Effective immediately.

Budget Impact: There is no budgetary impact.

Manual/Handbooks Sections Affected: None

Coordination: This IM was coordinated through Department of Interior, Deputy Regional Solicitor, and the Bureau of Indian Affairs, Supervisory Archeologist, ANCSA Office.

Contact: Any question concerning the content in this IM should be directed to Mark Fullmer, Chief, Branch of Preparation and Resolution, Division of Alaska Lands (AK962) at 907-271-5699 or email at Mark_Fullmer@ak.blm.gov.

Signed by:
Thomas Lonnie
Alaska State Director

Authenticated by:
Anita R. Jette
Records Specialist

1 Attachment:

1 - [Secretarial Order No. 3220, Amendment No. 1](#)